

**Tippecanoe County Drainage Board**  
**Minutes**  
**January 7, 2009**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

**Approval of Minutes**

John Knochel called the meeting to order. David Byers made a motion to approve the December 2, 2008 Regular Drainage Board minutes as written. Thomas Murtaugh seconded the motion. The December 2, 2008 Regular Drainage Board meeting minutes were approved as written.

**Election of Officers**

Drainage Board Attorney David Luhman opened the floor for the election of officers. David Byers nominated Thomas Murtaugh as President. John Knochel seconded the nomination. There were no other nominations. Thomas Murtaugh was elected President for the 2009 Drainage Board. John Knochel nominated David Byers as Vice President. Thomas Murtaugh seconded the nomination. There were no other nominations. David Byers was elected Vice President for the 2009 Drainage Board.

**Appointment of Drainage Board Attorney**

John Knochel made a motion to appoint Hoffman Luhman and Masson as Drainage Board legal counsel. David Byers seconded the motion. The Surveyor recommended signing the 2009 Legal Services contract presented by Hoffman Luhman and Masson. David Byers made a motion to accept the contract as presented. John Knochel seconded the motion. The firm of Hoffman Luhman and Masson was appointed the 2009 Drainage Board Legal Counsel.

**Appointment of Executive Secretary**

John Knochel made a motion to appoint Brenda Garrison as Drainage Board Secretary. David Byers seconded the motion. Brenda Garrison was appointed the 2009 Drainage Board Secretary.

**McCutcheon H.S. Advanced Studies Addition**

Patrick Williams and Pat Jarboe representing TBird Designs appeared before the Board to request final approval for the McCutcheon H.S. Advanced Studies project. The High School was located north of the intersection of C.R. East 500S and Old US 231 on the east side of Old US 231. A 30,000 square foot advanced studies center with parking and sidewalk was planned. The Advanced Studies Center would be constructed on the east side of the existing High School replacing an exiting parking area. A parking lot expansion on the southwest corner of the High School was planned as well. Pat Williams noted a Master Drainage Plan was completed in Dec. 2004. Improvements for McCutcheon Campus and the Mayflower Elementary School were anticipated at that time. The Stormwater infrastructure would outlet to Wea Creek located immediately east of the site. Stormwater detention was not necessary, primarily due to the size of the watershed and the allowance of direct release. Improvements would drain into an existing stormceptor unit and receive Stormwater quality treatment. The parking lot on the east side of the existing south parking lot would drain overland across the existing practice fields from west to east entering an existing vegetated swale heading north and ultimately drain to the Wea Creek. Pat stated they concurred with the January 2, 2009 Burke memo and requested final approval with the conditions as stated on the Jan. 2, 2009 Burke memo. Responding to David Byers, the Surveyor reiterated the school corporation had prepared a master plan for both McCutcheon and Harrison Campuses previously and they had anticipated Stormwater quality and quantity for the future. Responding to John Knochel's inquiry, the Surveyor noted a number of existing schools were constructed prior to the new Stormwater Ordinance. (Pat Jarboe noted there was a small portion of the southwest corner of the McCutcheon campus which flowed to the west.) There was no public comment. The Surveyor recommended final approval with the conditions as stated on the January 2, 2009 Burke memo. David Byers made a motion to grant final approval with conditions as stated on the January 2, 2009 Burke memo for the McCutcheon H.S. Advanced Studies project. John Knochel seconded the motion. The McCutcheon H.S. Advanced Studies project was granted final approval with conditions as stated on the January 2, 2009 Burke memo.

## **Other Business**

### **2009 Drainage Board Meeting Dates**

David Byers made a motion to approve the 2009 Drainage Board meetings dates as presented with the exception of moving the July meeting date to July 15, 2009. John Knochel seconded the motion. There was no public comment. The 2009 Drainage Board meeting dates were approved as follows: February 4th, March 4th, April 1st, May 6th, June 3rd, July 15th, August 5th, September 2nd, Oct. 7th, Nov. 4th, Dec. 2nd, 2009 at 10:00 am.

## **Steve Murray**

### ***Petitions:***

#### ***Lafayette Meadows PD***

The Surveyor stated he had several petitions to present to the Board. The first was a Petition to Encroach on the Alexander Ross Regulated Drain submitted by Residential Care XII LLC. The project (Lafayette Meadows) had previously received approval with conditions. He explained the new facility would have a detention pond to the north which would encroach on the Alexander Ross Regulated Drain. They would be replacing the existing tile with new and there would be a berm between the two ponds so there would be protection for the Regulated Drain. They would relocate a small portion of the said drain to the west of their site as well. The Surveyor then recommended the acceptance of the **Petition to Encroach on the Alexander Ross Regulated Drain**. Brandon Fulk with Schneider Corporation approached the Board and reviewed the project site and the Ross Regulated Drain location on the site utilizing GIS. He stated he had met with the existing landowners involved and they had waived their rights to the portion of the drain involved. (Letters waiving their rights were included with the petition's supporting documents) A **Petition to Vacate Alexander Ross Regulated Drain Branches 8, 9, and a portion of Branch 10** was submitted for acceptance by the Board. The Surveyor noted this was predicated on the fact the individuals upstream were releasing their right to the drain tile. The Surveyor stated he was satisfied granting the encroachment would not cause any hardship for drainage as far as Alexander Ross Regulated Drain was concerned. He stated this project was located within the City of Lafayette and the Board was reviewing the drainage portion only to include any regulated drains. The Surveyor recommended the Board approve the Petition to Encroach on the Alexander Ross Regulated Drain. David Byers made a motion to accept the Petition to Encroach on the Alexander Ross Regulated Drain for Lafayette Meadows PD. John Knochel seconded the motion. **The Petition to Encroach on the Alexander Ross Regulated Drain** was approved as submitted. The Surveyor then presented a **Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated Drain** to the Board for approval. David Byers made a motion to approve the Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain with the stipulation a signed revised petition would be submitted for recording. John Knochel seconded the motion. There were no objections. A signed revised Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain was approved by the Board.

#### ***Indiana American Water***

The Surveyor informed the Board Indiana American Water was in the process of extending their water mains from their new plant on North Ninth Street. Phase I involved a main transmission line starting at C.R. 50W running east along the north side of 500N to SR 43 to Burnett Road to Ninth Street on the west side to the new Davis Ferry Water Treatment Facility. Phase II involved a transmission line starting at CR.50W at 500N ran west to 140W down to Kalberer Road. In the course of installing the extensions they would cross multiple County Regulated Drains, therefore petitions to encroach on the regulated drains were in order. The first was a **Petition to Encroach on the Hadley Lake Regulated Drain located on 140W**. He recommended the Board approve the Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W. There were no public comments. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Regulated Drain located at 140W. John Knochel seconded the motion. The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W was approved as submitted. The Surveyor presented the 2<sup>nd</sup> Petition submitted by Indiana American Water. He recommended approval for the Petition to Encroach on the Hadley Lake Regulated Drain located at CR.500N. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Drain located at CR. 500N. John Knochel seconded the motion. There was no public comment. **The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 500N** was approved as submitted. The 3<sup>rd</sup> Petition submitted by Indiana American Water was the Petition to Encroach on the County Farm Regulated Drain located at 500N. The Surveyor noted the main transmission line would be required to be set 2 feet below the existing tile location for future maintenance. He recommended the Board grant the Petition to Encroach on the County Farm Regulated Drain. David Byers made a motion to grant approval of the **Petition to Encroach on the County Farm Regulated Drain located at CR. 500N**. John Knochel seconded the motion. There were no public comments. The Petition to Encroach on the County Farm Regulated Drain located at CR.500N was approved as submitted.

#### ***Performance Bonds***

The Surveyor presented Performance Bond #0923274 from McKenzie Properties for Lot 4 Concord Plaza/Kentucky Fried Chicken in the amount of \$18,500.00. Performance Bond #002570631 from Infrastructure Systems Inc. for Indiana American Water's SR 43 Water Main Transmission Phase I (This bond would insure proper erosion control measures) in the amount of

\$50,000.00. Performance Bond #B0321455 from F&K Construction for the Indiana American Water's Water Main Transmission Phase II Co. Rd. 500N & 140W. The Surveyor then recommended the Board accept the Performance Bonds as submitted. David Byers made a motion to accept the Performance bonds as submitted by the Surveyor. John Knochel seconded the motion. There was no public comment. Performance Bond #0923274 from McKenzie Properties for Lot 4 Concord Plaza/Kentucky Fried Chicken in the amount of \$18,500.00, Performance Bond #002570631 from Infrastructure Systems Inc. for Indiana American Water's SR 43 Water Main Transmission Phase I amount of \$50,000.00 and Performance Bond #B0321455 from F&K Construction for the Phase II Water Main Transmission was accepted by the Board.

**Public Comment**

There was no public comment. Thomas Murtaugh read an email from Indiana Department of Environmental Mgmt. recognizing the Tippecanoe County MS4 group for work regarding the NPDES Phase II Stormwater. The partnership between Tippecanoe County, Purdue University, Ivy Tech Community College, Battleground, Dayton, West Lafayette, and Lafayette was recognized by IDEM for their accomplishments. They were recognized as having one of if not THE best program in the state. Mr. Murtaugh congratulated the Surveyor regarding his coordination of the program.

There was no other business before the Board. The meeting was adjourned.

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Thomas Murtaugh, President

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David Byers, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member